

HOUSE BILL No. 1283

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-1-12.

Synopsis: High performance school buildings. Provides that a public works contract for the construction, reconstruction, repair, alteration, or retrofitting of a building that is or will be owned by or leased to a school corporation must require that the building be designed with the goal of achieving: (1) the Silver certification under the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) rating system; (2) the Two Globes certification under the Green Building Initiative's Green Globes rating system; or (3) an equivalent rating under an equivalent rating system that is accredited by the American National Standards Institute. Requires that the plans and specifications for the contract be written in consideration of the historic or aesthetic qualities of the building and the availability of local materials, and provides for the potential use of Indiana hardwood lumber, if practicable.

Effective: July 1, 2014.

Pierce

January 14, 2014, read first time and referred to Committee on Environmental Affairs.



Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

HOUSE BILL No. 1283

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 36-1-12-1, AS AMENDED BY P.L.1-2010,
2 SECTION 145, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2014]: Sec. 1. (a) Except as provided in this
4 section **and section 24(a) of this chapter**, this chapter applies to all
5 public work performed or contracted for by:
6 (1) political subdivisions; and
7 (2) their agencies;
8 regardless of whether it is performed on property owned or leased by
9 the political subdivision or agency.
10 (b) This chapter does not apply to an officer or agent who, on behalf
11 of a municipal utility, maintains, extends, and installs services of the
12 utility if the necessary work is done by the employees of the utility.
13 (c) This chapter does not apply to hospitals organized or operated
14 under IC 16-22-1 through IC 16-22-5 or IC 16-23-1, unless the public
15 work is financed in whole or in part with cumulative building fund
16 revenue.



(d) This chapter does not apply to tax exempt Indiana nonprofit corporations leasing and operating a city market owned by a political subdivision.

(e) As an alternative to this chapter, the governing body of a political subdivision or its agencies may do the following:

(1) Enter into a design-build contract as permitted under IC 5-30.

(2) Participate in a utility efficiency program or enter into a guaranteed savings contract as permitted under IC 36-1-12.5.

(f) This chapter does not apply to a person that has entered into an operating agreement with a political subdivision or an agency of a political subdivision under IC 5-23.

SECTION 2. IC 36-1-12-24 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 24. (a) This section applies to a public works contract that meets all of the following conditions:**

(1) The contract is entered into under this article after December 31, 2014.

(2) The total value of the project subject to the contract is at least one million dollars (\$1,000,000).

(3) The contract is for the construction, reconstruction, repair, alteration, or retrofitting of a building that is or will be:

(A) owned by; or

(B) leased to;

a school corporation.

(b) A public works contract described in subsection (a) for the construction of a building must require that the building be designed with the goal of achieving:

(1) the Silver certification under the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) for Schools rating system;

(2) the Two Globes certification under the Green Building Initiative's Green Globes rating system; or

(3) an equivalent rating under an equivalent rating system that is accredited by the American National Standards Institute.

(c) A public works contract described in subsection (a) for the reconstruction, repair, alteration, or retrofitting of a building must require that the plans for the reconstruction, repair, alteration, or retrofitting be designed with the goal of achieving:

(1) the Silver certification under the U.S. Green Building Council's Leadership in Energy and Environmental Design



1 (LEED) for Existing Buildings rating system;
2 (2) the Two Globes certification under the Green Building
3 Initiative's Green Globes rating system; or
4 (3) an equivalent rating under an equivalent rating system
5 that is accredited by the American National Standards
6 Institute.

7 (d) A school corporation referred to in subsection (a)(3) shall
8 seek certification through the rating system referred to in
9 subsection (b) or (c) that is appropriate to the contract for the
10 construction, reconstruction, repair, alteration, or retrofitting of
11 the building.

12 (e) In selecting plan or specification elements to achieve
13 certification through a rating system referred to in subsection (b)
14 or (c), a school corporation referred to in subsection (a)(3):

15 (1) shall consider:

16 (A) the historic or aesthetic qualities of the building; and

17 (B) the availability of local materials; and

18 (2) may provide for the use of hardwood lumber harvested
19 from real property located in Indiana if the use of that
20 Indiana hardwood lumber is practicable.

